

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. CR-23-94-D
)
DONALD EUGENE COOKS,)
)
Defendant.)

ORDER

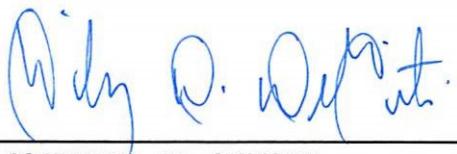
The Court has received two *pro se* filings by Defendant Donald Eugene Cooks: (1) a motion to dismiss [Doc. No. 86]; and (2) a motion to suppress [Doc. No. 99].

Defendant has legal representation through an experienced, court-appointed defense attorney.¹ Because Defendant is represented by counsel, the Court finds no need for Defendant personally to make written submissions. A defendant has no right to hybrid representation in which he both represents himself and is represented by counsel. *See United States v. Hill*, 526 F.2d 1019, 1025 (10th Cir. 1975); *see also United States v. Chavis*, 461 F.3d 1201, 1205-06 (10th Cir. 2006); *United States v. McKinley*, 58 F.3d 1475, 1480 (10th Cir. 1995). Although a trial court has discretion to permit such representation in a particular case, the Court declines to exercise such discretion here.

¹ Defendant's first *pro se* motion [Doc. No. 86] was filed on October 19, 2023. On October 13, 2023, the Court granted previously appointed counsel's Third Motion for Leave to Withdraw as Counsel [Doc. No. 85]. However, Defendant's first motion is dated October 10, 2023, meaning Defendant was still represented by counsel when he drafted the first *pro se* motion and mailed it for filing. Presumably due to logistical constraints, the Clerk of Court did not receive the motion—and, thus, did not file the motion—until October 19, 2023 [Doc. No. 86-1]. Defendant is currently represented by newly-appointed counsel. *See Order Appointing Counsel* [Doc. No. 89].

IT IS THEREFORE ORDERED that Defendant's *pro se* filings [Doc. Nos. 86, 99] are hereby **STRICKEN** from the record and will not be considered.

IT IS SO ORDERED this 9th day of January, 2024.



TIMOTHY D. DeGIUSTI
Chief United States District Judge